

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MICHAEL B. KINGSLEY,

Plaintiff,

v.

MONROE COUNTY JUSTICE  
DEPARTMENT, et al

Defendants.

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ORDER

Case No. 20-cv-255-jdp

Plaintiff Michael b. Kingsley, a prisoner in the custody of the Department of Corrections, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff has filed a partial trust fund account statement in support of the motion for leave to proceed without prepaying the fee.

However, before I could consider a request to proceed without prepayment of the filing fee, plaintiff would have to submit a trust fund account statement covering the six-month period preceding the filing of the complaint to determine if plaintiff qualifies for indigent status and if so, assess an initial partial payment of the \$350 filing fee. A decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff has submitted a statement for March 2, 2020 through March 16, 2020. This statement is insufficient to determine if plaintiff qualifies for indigent status. Instead, plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately September 19, 2019 and ending approximately March 19, 2020. Once the necessary statement has been

submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Michael b. Kingsley may have an enlargement of time until April 9, 2020 to submit a certified trust fund account statement for the period beginning approximately September 19, 2019 and ending approximately March 19, 2020. If, by April 9, 2020, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 19th day of March, 2020.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge